

FILED ELECTRONICALLY		
<b>RESPONSE TO SPECIES ELECTION REQUIREMENT</b>  Address to: Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Docket No.	UCSD-173CON
	Confirmation No.	8209
	Application No.	09/770,943
	Filing Date	January 25, 2001
	Examiner	Patricia A. Duffy
	Group Art Unit	1645
	Title	<i>INHIBITORS OF DNA IMMUNOSTIMULATORY SEQUENCE ACTIVITY</i>

Sir:

This communication is submitted in response to the Office Action mailed November 15, 2006. The Office Action set forth a one-month time period for response, making a response due on or before December 15, 2006. Accordingly, this response is timely filed.

#### I. REMARKS

The Office Action stated that the application contains claims directed to patentably distinct species of peptide conjugate, as follows: autoantigen and autoantibody. The Office Action required election of one of the two species.

Applicants hereby elect the species "autoantigen," with traverse.

As set forth in 37 C.F.R. §1.146 and MPEP §808.01(a), an election of species requirement is proper where an application contains claims to more than a reasonable number of species, and where there would be a serious burden on the examiner if restriction were not required.

It is Applicants' position that the number of species set forth in the Office Action is not unreasonable, and that it would not be a serious burden on the examiner to perform a search on both species. As such, Applicants elect the species noted above, with traverse.

Each of currently pending claims 32-36 and 38-44 reads on the elected species.

## II. CONCLUSION

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UCSD-173CON.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: Dec. 4, 2006

By: \_\_\_\_\_

Paula A. Borden  
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP  
1900 University Avenue, Suite 200  
East Palo Alto, California 94303  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

\\BFF-7\Programs\DOCUMENT\UCSD\173con\resp RR.doc